

Translation

PATENT COOPERATION TREATY

PCT/EP2003/006503



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 39434 FAIR	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/006503	International filing date (day/month/year) 20 June 2003 (20.06.2003)	Priority date (day/month/year) 01 July 2002 (01.07.2002)
International Patent Classification (IPC) or national classification and IPC B60N 2/28		
Applicant FAIR - S.R.L.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.  
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 26 January 2004 (26.01.2004)	Date of completion of this report 11 October 2004 (11.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/006503

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_ 1-10 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_ 1-23 \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 23 July 2004 (23.07.2004)
- ☒ the drawings:  
 pages \_\_\_\_\_ 1/9-9/9 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/06503

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-23	YES
	Claims		NO
Inventive step (IS)	Claims	3, 4, 8, 10-15, 17, 18	YES
	Claims	1, 2, 5-7, 9, 16, 19-23	NO
Industrial applicability (IA)	Claims	1-23	YES
	Claims		NO

### 2. Citations and explanations

1. This report makes reference to the following documents:

D1: EP-A-0 822 115 (BRITAX ROEMER KINDERSICHERHEIT), 4 February 1998  
D2: EP-A-1 197 378 (DAIHATSU MOTOR CO LTD), 17 April 2002  
D3: EP-A-0 485 121 (BRITAX EXCELSIOR), 13 May 1992

2. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1 and 9 does not involve an inventive step (PCT Article 33(3)).

- 2.1 Document D2 shows a child seat fastening system and also a child restraint device having the features of the preambles of claims 1 and 9.

- 2.2 The subject matter of independent claim 1 differs essentially in that the child seat fastening system comprises a front locking element and two lateral, rear locking elements.

The present invention can therefore be considered to

address the problem of preventing the plug-in connection of the seat body from rotating while fastening it very firmly.

The solution proposed in claim 1 of the present application cannot be considered inventive (PCT Article 33(3)) for the following reasons:

Document D3 describes the same advantages of the feature of a front locking element and of two lateral rear locking elements as the present application. A person skilled in the art would therefore regard the inclusion of this feature in the child seat fastening system described in D2 as a conventional measure for solving the problem in question.

The characterising features relate to the fastening of the seat body to the fastening frame. Although D3 relates to an alternative way of fastening the fastening frame to the vehicle seat, this child seat fastening system would also be familiar to a person skilled in the art. The fastening of the seat body to the fastening frame according to D3 has no relationship with the fastening of the fastening frame to the vehicle seat. There is therefore no reason to apply the way of fastening the seat body according to D3 also to other ways of fastening the fastening frame, whenever required.

The subject matter of claim 1 therefore cannot be regarded as inventive.

- 2.3 The subject matter of independent claim 9 differs essentially in that the child restraint device has

an anchoring device arranged between the seat body and the fastening frame and having a movable locking element.

The present invention can therefore be considered to address the problem of devising a way of anchoring the seat body in an easy and secure manner.

The solution proposed in claim 9 of the present application cannot be considered inventive (PCT Article 33(3)) for the following reasons:

Document D1 describes the same advantages of the feature of an anchoring device as the present application. A person skilled in the art would therefore regard the inclusion of this feature in the child restraint device described in D2 as a conventional measure for solving the problem in question.

The characterising features relate to the fastening of the seat body to the fastening frame. Although D1 relates to an alternative way of fastening the fastening frame to the vehicle seat, this way of fastening a child seat would also be familiar to a person skilled in the art. The fastening of the seat body to the fastening frame according to D1 has no relationship with the fastening of the fastening frame to the vehicle seat. There is therefore no reason to apply the way of fastening the seat body as defined in D1 also to other ways of fastening fastening frames, whenever required.

The subject matter of claim 9 therefore cannot be considered inventive.

3. The subject matter of dependent claims 2, 5-7, 16 and 19-23 cannot be considered inventive either because their additional features are already known from documents D2 and D1, or D2 and D3.
4. The combination of features in dependent claims 3, 4, 8, 10-15, 17 and 18 is neither known from nor suggested by the available prior art. These claims therefore meet the requirements of PCT Article 33(2) and 33(3).